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9 GREAT MIDWEST INSURANCE COMPANY

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STUART C. IRBY COMPANY, LLC,

Plaintiff,

v.

COMMNV, LLC; ARIC HORNING;
UPRISE FIBER, LLC; UPRISE LLC; and
GREAT MIDWEST INSURANCE
COMPANY,

Defendants.

CASE NO.: 2:24-cv-01889-RFB-BNW

**STIPULATION TO EXTEND
DEFENDANT GREAT MIDWEST
INSURANCE COMPANY'S TIME
TO RESPOND TO COMPLAINT**

1 Plaintiff STUART C. IRBY COMPANY, LLC (“Plaintiff”) and Defendant
2 GREAT MIDWEST INSURANCE COMPANY (“Defendant”), by and through their
3 respective attorneys of record in the above-referenced action, hereby stipulate and agree
4 pursuant to Federal Rule of Civil Procedure 6(b), that Defendant’s deadline to respond in
5 this action shall be extended by fourteen (14) calendar days, from January 27, 2025, to
6 February 11, 2025.

7 Good cause exists for the agreed extension because Plaintiff and Defendant are
8 evaluating claim coverage issues and Defendant was just-retained as counsel and needs
9 additional time to investigate the Complaint and finalize a response to it. This stipulation
10 does not constitute a waiver of any claim, right, or defense. The requested extension will
11 not affect any of the other dates set in the case.

12 **IT IS SO STIPULATED.**

13 DATED: January 29, 2025

LANAK & HANNA, P.C.

15 By: s/*David R. Johnson*

DAVID R. JOHNSON

Attorneys for Defendant

GREAT MIDWEST INSURANCE COMPANY

18 DATED: January 29, 2025

GIBBS GIDEN LOCHER TURNER

21 By: s/*Daniel M. Hansen*

DANIEL M. HANSEN

Attorneys for Plaintiff

STUART C. IRBY COMPANY, LLC

ATTESTATION

I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: January 29, 2025

By: _____ *s/David R. Johnson*
DAVID R. JOHNSON

lanak&hanna

PROOF OF SERVICE
 UNITED STATES DISTRICT COURT, DISTRICT OF NEVADA
STUART C. IRBY COMPANY, LLC V. COMMNV LLC ET. AL.
 CASE NO. 2:24-CV-01889-RFB-BNW

I am employed in the County of Orange, State of California; I am over the age of eighteen (18) and not a party to the within action; my business address is 1851 East First Street, Suite 700, Santa Ana, CA 92705. On January 29, 2025, I served the foregoing document(s) described as

STIPULATION TO EXTEND DEFENDANT GREAT MIDWEST INSURANCE COMPANY'S TIME TO RESPOND TO COMPLAINT

[PROPOSED] ORDER RE STIPULATION TO EXTEND DEFENDANT GREAT MIDWEST INSURANCE COMPANY'S TIME TO RESPOND TO COMPLAINT

on all interested parties to this action by delivering

- a copy an original

thereof in a sealed envelope addressed to each of said interested parties at the following address(es):

SEE ATTACHED SERVICE LIST

- (NOTICE OF ELECTRONIC FILING " NEF")** The foregoing document will be served by the Court via NEF and hyperlink to the document. I checked the CM/ECF docket for this case and determined that the following persons are on the electronic mail notice list to receive NEF transmission at the email addresses above._____
- (BY OVERNIGHT COURIER)** I served the foregoing document by GLS, an express service carrier which provides overnight delivery, as follows: I placed true copies of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed to each interested party as set forth above, with fees for overnight delivery paid or provided for.
- (BY E-MAIL SERVICE)** I caused such document to be delivered electronically via e-mail to the e-mail address of the addressee(s) set forth in the attached service list.
- (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury that the above is true and correct.

Executed on January 29, 2025, at Santa Ana, California.



Kevin Garcia

SERVICE LIST

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Attorney for Plaintiff
STUART C. IRBY COMPANY, LLC

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STUART C. IRBY COMPANY, LLC,

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**[PROPOSED] ORDER RE
STIPULATION TO EXTEND
DEFENDANT GREAT MIDWEST
INSURANCE COMPANY'S TIME
TO RESPOND TO COMPLAINT**

1 The Court, having read and considered the Joint Stipulation submitted by Plaintiff
2 STUART C. IRBY COMPANY, LLC and Defendant GREAT MIDWEST INSURANCE
3 COMPANY (“Defendant”), by and through their respective attorneys of record in the
4 above-referenced action, and for good cause shown, the Joint Stipulation is adopted, and
5 IT IS HEREBY ORDERED:

6 The Court continues the pending date as follows:

7 1. Defendant’s response to the Complaint shall be filed no later than February
8 11, 2025.

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10 **IT IS SO ORDERED.**

11 DATED: 1/30/2025

12 By: B. Lawler
United States Magistrate Judge